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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
PAUL ALEXANDER HODGE,  
  
Defendant.

Case No. 2:21-CR-00093-KJD-BNW

**Stipulation To Continue Supervised  
Release Revocation Hearing**  
(Second Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defendant and Benjamin F. Nemec, Assistant Federal Public Defender, counsel for Paul Alexander Hodge, ("Hodge"), that the supervised release revocation hearing in the abovementioned case, which is currently scheduled for March 26, 2024 be continued and reset to a date and time convenient to this Court, but not sooner than 90 days from the current hearing date for the following reasons:

1. On or about December 14, 2023, Hodge appeared on a criminal Complaint alleging that he committed Covid-19 Relief Funds Bank Fraud, a violation of 18 U.S.C. §

1 1344(2), and was released on conditions pending a preliminary hearing, which is  
2 presently scheduled for June 10, 2024.

3 2. On or about December 14, 2023, a petition seeking to revoke Hodge's  
4 supervised release was filed and a summons issued. On or about December 28, 2023,  
5 Hodge appeared on the petition and was released pending a revocation hearing on  
6 January 23, 2024 before this Court. Instead, the Court granted the parties' first request for  
7 a continuance of the revocation hearing and set the matter for March 26, 2024.

8 3. The parties have agreed to continue the supervised release revocation  
9 hearing for at least 90 days. The parties have agreed to try to negotiate a global resolution  
10 to include the revocation violations<sup>1</sup> and the fraud matter. Assistant Federal Public  
11 Defender Nemec needs additional time to review the discovery in the fraud case before  
12 attempting to negotiate the case.

13 4. If an agreement cannot be reached, the parties will need additional time to  
14 adequately prepare for the revocation hearing.

15 5. The defendant is at liberty and will not be unduly prejudiced by the brief  
16 delay requested herein.

17 6. The parties agree to the continuance.

18 7. The additional time requested herein is not sought for purposes of delay,  
19 but merely to allow the government sufficient time within which to adequately prepare  
20 for the revocation hearing. Additionally, denial of this request for continuance could  
21 result in a miscarriage of justice, and the ends of justice served by granting this request,

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25 <sup>1</sup> On or about December 13, 2023, a petition seeking to revoke Hodge's supervised  
26 release was also filed and a summons issued setting an initial appearance on December  
28, 2023, at 2:30 p.m., in case number 2:21-cr-00200-RFB-VCF. Hodge will appear on  
the initials docket before the Magistrate Court on April 9, 2024.

1 outweigh the best interest of the public and the defendant in a speedy hearing.

2 8. This is the second stipulation to continue the hearing.

3 DATED this 25 day of March, 2024.

4 Respectfully submitted,

5  
6 RENE L. VALLADARES  
7 Federal Public Defender

JASON M. FRIERSON  
United States Attorney

8 */s/ Benjamin F. Nemec*  
9 By \_\_\_\_\_  
10 Benjamin F. Nemec  
Assistant Federal Public Defender

*/s/ Kimberly M. Frayn*  
By \_\_\_\_\_  
KIMBERLY M. FRAYN  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,  
4  
5 Plaintiff,  
6 v.  
7 PAUL ALEXANDER HODGE,  
8 Defendant.

Case No. 2:21-CR-00093-KJD-BNW

**Findings of Fact, Conclusions of Law  
and Order**

9  
10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore,  
12 the Court finds that:

13 1. On or about December 14, 2023, Hodge appeared on a criminal Complaint  
14 alleging that he committed Covid-19 Relief Funds Bank Fraud, a violation of 18 U.S.C. §  
15 1344(2), and was released on conditions pending a preliminary hearing, which is  
16 presently scheduled for June 10, 2024.

17 2. On or about December 14, 2023, a petition seeking to revoke Hodge's  
18 supervised release was filed and a summons issued. On or about December 28, 2023,  
19 Hodge appeared on the petition and was released pending a revocation hearing on  
20 January 23, 2024 before this Court. Instead, the Court granted the parties' first request for  
21 a continuance of the revocation hearing and set the matter for March 26, 2024.

22 3. The parties have agreed to continue the supervised release revocation  
23 hearing for at least 90 days. The parties have agreed to try to negotiate a global resolution  
24 to include the revocation violations and the fraud matter. Assistant Federal Public  
25 Defender Nemec needs additional time to review the discovery in the fraud case before  
26 attempting to negotiate the case.

1           4.     If an agreement cannot be reached, the parties will need additional time to  
2 adequately prepare for the revocation hearing.

3           5.     The defendant is at liberty and will not be unduly prejudiced by the brief  
4 delay requested herein.

5           6.     The parties agree to the continuance.

6           7.     The additional time requested herein is not sought for purposes of delay,  
7 but merely to allow the government sufficient time within which to adequately prepare  
8 for the revocation hearing. Additionally, denial of this request for continuance could  
9 result in a miscarriage of justice, and the ends of justice served by granting this request,  
10 outweigh the best interest of the public and the defendant in a speedy hearing.

11          8.     This is the second stipulation to continue the hearing.

12                               **ORDER**

13           THEREFORE, IT IS HEREBY ORDERED that the revocation hearing in the  
14 above-captioned matters, currently scheduled for March 26, 2024, be vacated and  
15 continued to a date and time convenient to this Court, that is on Tuesday, June 25,  
16 2024, at the hour of 11:00 a.m. in courtroom 4A.

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19          DATED this 25th day of March 2024.

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23                               HONORABLE KENT J. DAWSON  
24                               UNITED STATES DISTRICT COURT JUDGE  
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